



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution of Intention to Vacate the East 200 feet of the Alley West of Central Avenue and North of Oak Street; Refer the Matter to the Planning Commission; and Set a Public Hearing for May 7, 2003

MEETING DATE: March 19, 2003

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a resolution of intention to abandon the east 200 feet of the alley west of Central Avenue and north of Oak Street, refer the matter to the Planning Commission, and set a public hearing at the regular Council meeting of May 7, 2003.

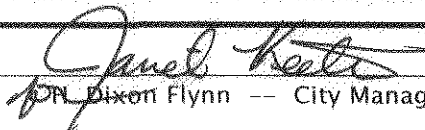
BACKGROUND INFORMATION: The Lodi Unified School District (LUSD) has submitted an application for a lot merger for the parcels located at 338-348 East Pine Street (APN 043-121-05, 043-121-06, 043-121-07 and northerly portion of APN 043-121-16), 19 South Central Avenue (southerly portion of APN 043-121-16) and 335 and 339 East Oak Street (APN 043-121-10 and 043-121-09). The parcels comprise the Joe Serna, Jr. Charter School campus. The conditions of approval for the issuance of a Certificate of Lot Merger require the abandonment of the easterly portion of the existing public alley north of Oak Street and west of Central Avenue, the realignment of the alley by dedication of a 25-foot public alley easement along the westerly portion of the parcel at 335 East Oak Street (APN 043-121-10) and the installation of public improvements in the realigned alley. The abandonment of the east 200 feet of the alley will also allow the school site to be fenced for security purposes. The proposed lot merger, alley abandonment and alley realignment are shown on the attached Exhibit A.

LUSD has submitted a formal request for the alley abandonment. The 20-foot alley was originally dedicated on the Map of "East Lodi Addition" on May 15, 1907. The City will retain a public utility easement over the portion of the alley to be abandoned to accommodate existing public utilities and drainage. LUSD has also submitted the improvement plans and legal description for the alley realignment for review by City staff. A private 6-foot masonry wall will be constructed and maintained by LUSD along the west side of the proposed alley to separate vehicle traffic from the adjacent residence.

Since the existing alley is currently necessary to provide access for service vehicles, the actual order to vacate the existing alley will not be filed until the right-of-way for the alley alignment has been dedicated and all required improvements in the realigned alley have been completed and accepted by the City.

Pacific Gas & Electric, SBC, AT&T Broadband, and the City of Lodi Electric Department and the Street and Water/Wastewater Divisions of the Public Works Department have approved the abandonment of

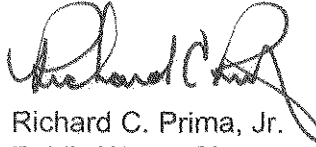
APPROVED: _____


DAN FLYNN -- City Manager

Adopt Resolution of Intention to Vacate the East 200 Feet of the Alley West of Central Avenue and North of Oak Street; Refer the Matter to the Planning Commission; and Set a Public Hearing for May 7, 2003
March 19, 2003
Page 2

the east 200 feet of the alley. The City Electrical Department has advised that the relocation of a street light on Oak Street necessitated by the realignment of the alley will be at the expense of the developer.

FUNDING: Not applicable



Richard C. Prima, Jr.
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician

RCP/JM/pmf

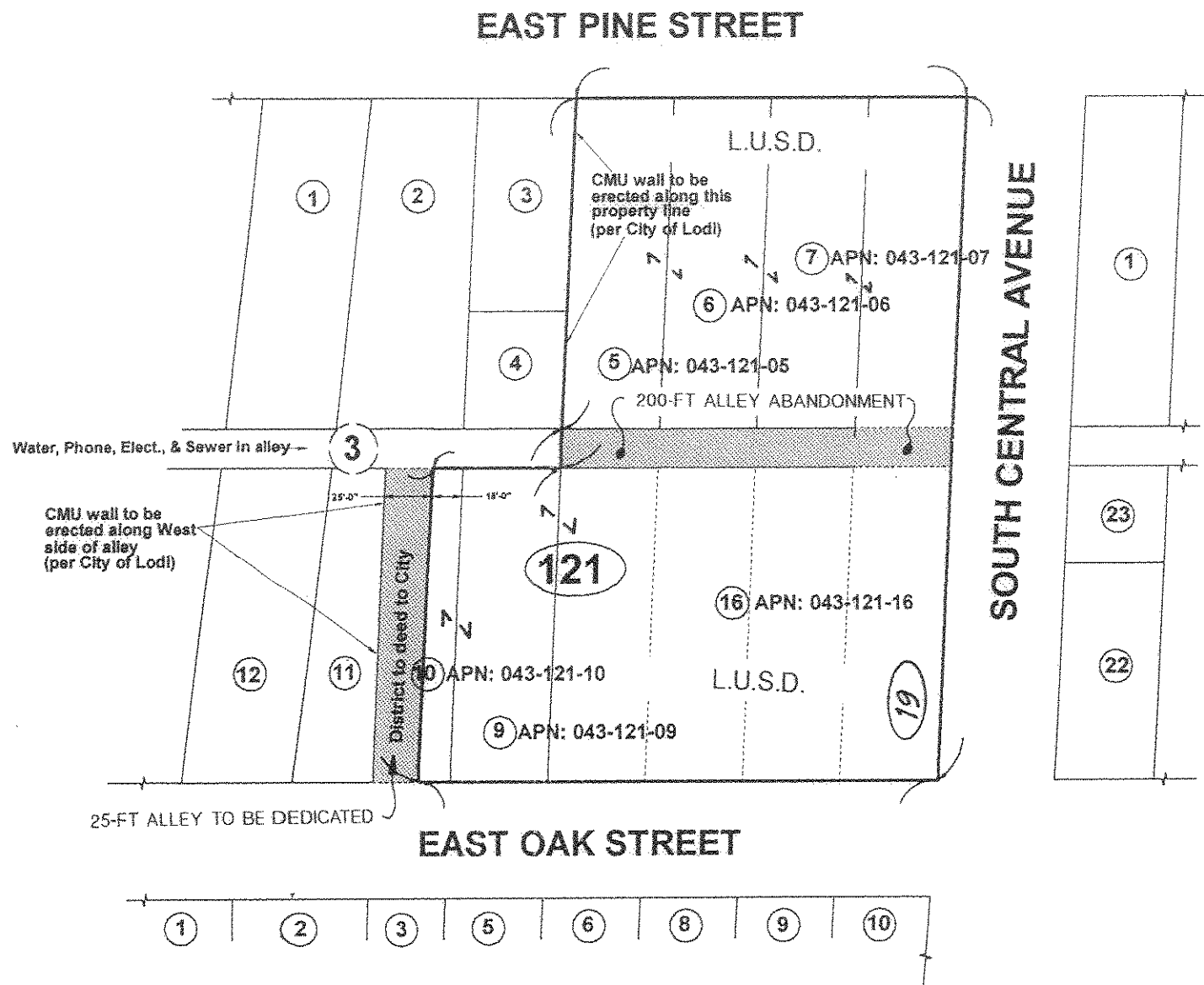
Attachment

cc: City Attorney
Community Development Director
Street Superintendent
Water/Wastewater Superintendent



CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A
ALLEY ABANDONMENT



RESOLUTION NO. 2003-47

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS
INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST
OF CENTRAL AVENUE AND NORTH OF OAK STREET, REFERRING
THE MATTER TO THE PLANNING COMMISSION, AND FURTHER
SETTING A PUBLIC HEARING

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the east 200 feet of the alley west of Central Avenue and north of Oak Street, as shown on Exhibit A attached hereto and thereby made a part hereof; and

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this matter shall be referred to the Planning Commission for approval; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, May 7, 2003, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of abandonment conspicuously along the line of the portion of the alley hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to May 7, 2003, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: March 19, 2003

I hereby certify that Resolution No. 2003-47 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 19, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Land, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Howard

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk



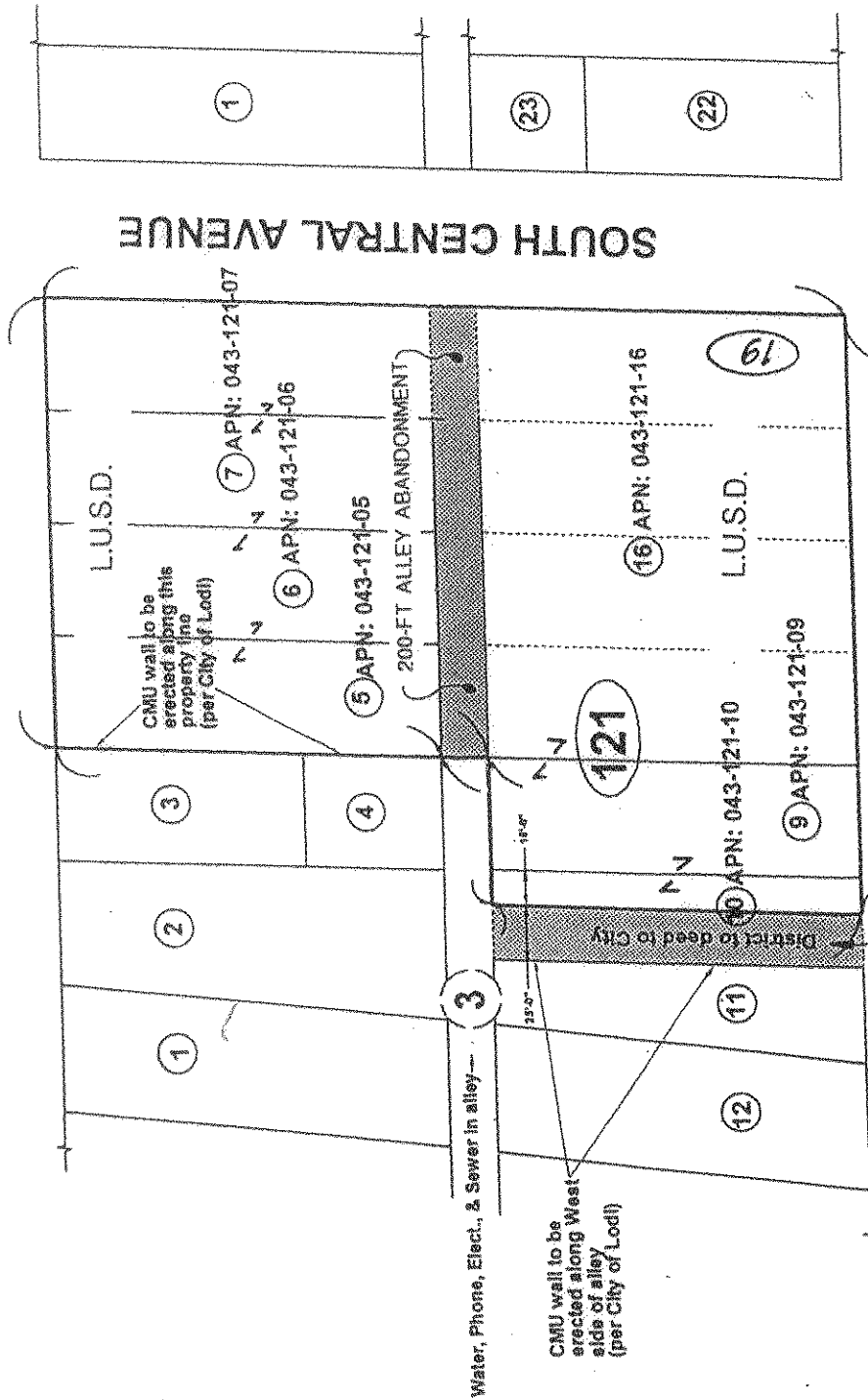
CITY OF LODI

PUBLIC WORKS DEPARTMENT

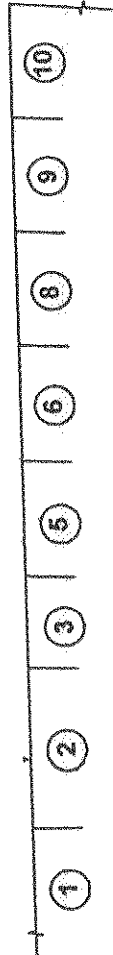
EXHIBIT A

ALLEY ABANDONMENT

EAST PINE STREET



EAST OAK STREET





*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: RESOLUTION OF INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST
OF CENTRAL AVENUE AND NORTH OF OAK STREET, REFERRING THE MATTER TO
THE PLANNING COMMISSION, AND FURTHER SETTING A PUBLIC HEARING

LEGAL AD

PUBLISH DATE: FRIDAY, APRIL 4, 2003
FRIDAY, APRIL 11, 2003

TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MARCH 20, 2003

ORDERED BY:

PATRICIA OCHOA
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK


JENNIFER M. PERRIN
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

Faxed to the Sentinel at 369-1084 at 11:46 am (time) on 3/20/03 (date) 3 (pages)
Kelsey _____ Phoned to confirm receipt of all pages at _____ (time) _____ Jac _____ Tricia _____ Jen _____ (Initials)

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2003-47

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS
INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST
OF CENTRAL AVENUE AND NORTH OF OAK STREET, REFERRING
THE MATTER TO THE PLANNING COMMISSION, AND FURTHER
SETTING A PUBLIC HEARING

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the east 200 feet of the alley west of Central Avenue and north of Oak Street, as shown on Exhibit A attached hereto and thereby made a part hereof; and

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this matter shall be referred to the Planning Commission for approval; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, May 7, 2003, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of abandonment conspicuously along the line of the portion of the alley hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to May 7, 2003, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: March 19, 2003

I hereby certify that Resolution No. 2003-47 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 19, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Land, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Howard

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



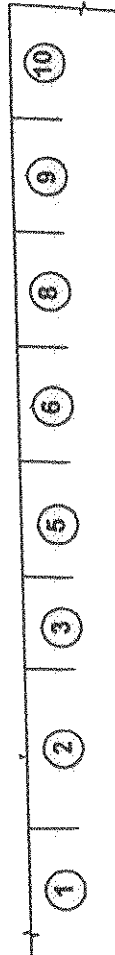
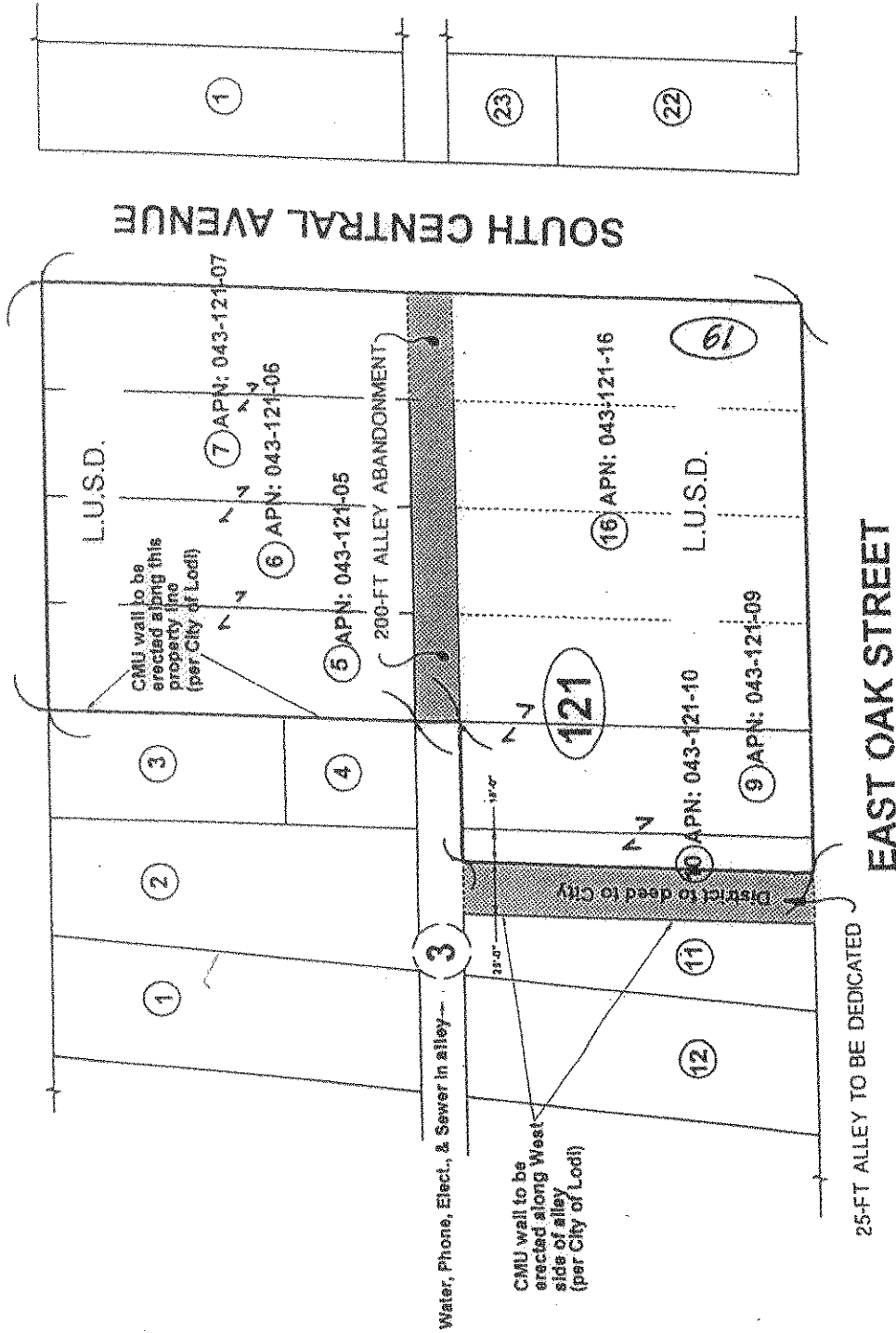
CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A

ALLEY ABANDONMENT

EAST PINE STREET





DECLARATION OF POSTING

RESOLUTION OF INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST OF CENTRAL AVENUE AND NORTH OF OAK STREET, REFERRING THE MATTER TO THE PLANNING COMMISSION, AND FURTHER SETTING A PUBLIC HEARING

On Thursday, March 20, 2003, in the City of Lodi, San Joaquin County, California, a copy of the Resolution of Intention to Vacate the east 200 feet of the alley west of Central Avenue and north of Oak Street, referring the matter to the Planning Commission, and setting a public hearing (attached hereto, marked Exhibit "A") was posted at the following locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 20, 2003, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

Jacqueline L. Taylor
Deputy City Clerk

Patricia Ochoa
Administrative Clerk


Jennifer M. Perrin
Deputy City Clerk



DECLARATION OF MAILING

RESOLUTION OF INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST OF CENTRAL AVENUE AND NORTH OF OAK STREET, REFERRING THE MATTER TO THE PLANNING COMMISSION, AND FURTHER SETTING A PUBLIC HEARING

On March 20, 2003, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Resolution of Intention to Vacate the east 200 feet of the alley west of Central Avenue and north of Oak Street, referring the matter to the Planning Commission, and further setting a public hearing, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 20, 2003, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK


JENNIFER M. PERRIN
DEPUTY CITY CLERK

PATRICIA OCHOA
ADMINISTRATIVE CLERK

CITY COUNCIL

SUSAN HITCHCOCK, Mayor
EMILY HOWARD
Mayor Pro Tempore
JOHN BECKMAN
LARRY D. HANSEN
KEITH LAND

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

H. DIXON FLYNN
City Manager
SUSAN BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

EXHIBIT A

March 20, 2003

TO: Interested Parties

**VACATION: TO VACATE THE EAST 200 FEET OF THE ALLEY WEST OF
CENTRAL AVENUE AND NORTH OF OAK STREET**

This is to inform you that the City Council, at its regular meeting on March 19, 2003, adopted a Resolution of Intention to vacate the east 200 feet of the alley west of Central Avenue and north of Oak Street and set a public hearing for May 7, 2003.

Enclosed for your information is a certified copy of the resolution along with a map of the area to be abandoned.

In addition, this matter has been referred to the Planning Commission and will be heard at its regular meeting of April 23, 2003. Please contact the Community Development Department at (209) 333-6711 if you have any questions.

Should you have questions regarding the abandonment, please contact Public Works Director Richard Prima at (209) 333-6706.


Susan J. Blackston
City Clerk

SJB/jmp

Enclosure

cc: Public Works Director
Community Development Director

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2003-47

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS
INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST
OF CENTRAL AVENUE AND NORTH OF OAK STREET, REFERRING
THE MATTER TO THE PLANNING COMMISSION, AND FURTHER
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BE IT FURTHER RESOLVED that this matter shall be referred to the Planning Commission for approval; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, May 7, 2003, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of abandonment conspicuously along the line of the portion of the alley hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to May 7, 2003, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: March 19, 2003


I hereby certify that Resolution No. 2003-47 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 19, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Land, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Howard

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

2003-47



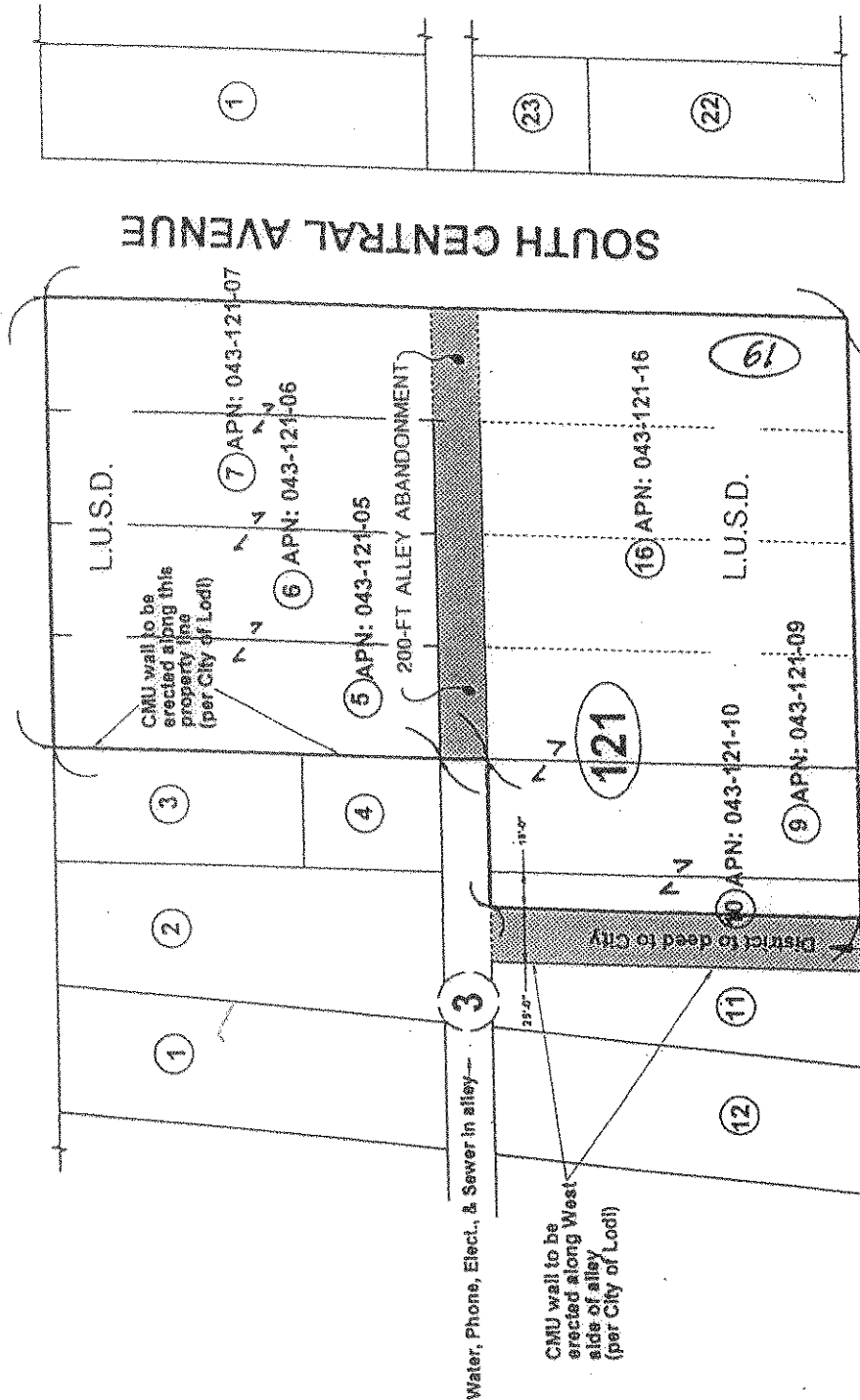
CITY OF LODI

PUBLIC WORKS DEPARTMENT

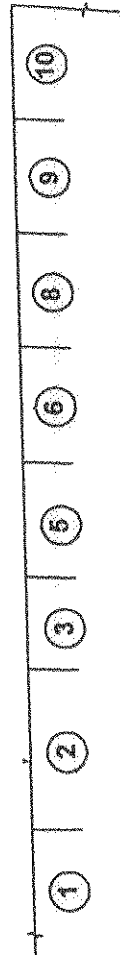
EXHIBIT A

ALLEY ABANDONMENT

EAST PINE STREET



EAST OAK STREET



VACATION / ABANDONMENT
MAILING LIST

EXHIBIT B

RESOLUTION OF INTENTION (Setting Public Hearing)

Certified copy w/cover letter to:

PG&E
12 W. Pine Street
Lodi, CA 95240

AT&T
6343 Tam O'Shanter Drive
Stockton, CA 95210

Pacific Bell
44 W. Yokuts Avenue
Stockton, CA 95207

Central Valley Waste Services
P.O. Box 241001
Lodi, CA 95241-9501

Chief Deputy County Surveyor
Attn: Joe Bussalacci
1810 E. Hazelton Avenue
Stockton, CA 95205

Certified copies to:

Jeannie Matsumoto, Public Works

Wes Fujitani, Public Works

Community Development Department

Police Department

Fire Department

RESOLUTION OF VACATION (After Public Hearing)

Certified copy w/cover letter:

PG&E

AT&T

Pacific Bell

Central Valley Waste Services

Chief Deputy County Surveyor

Jeannie Matsumoto, Public Works

Wes Fujitani, Public Works

Community Development Department

Police Department

Fire Department

|||||
MEEK MICHAEL D
325 E PINE ST
LODI CA 95240

|||||
ARAMBULA MARIA G
11318 HERMS ST
NORWALK CA 90650

|||||
MALDONADO JOSE G & YADIRA
317 1/2 E PINE ST
LODI CA 95240

|||||
BISTOLARIDES MARIA TR
511 E PINE ST
LODI CA 95240

|||||
GARCIA RAMON & JACKIE
7666 SANTA INES CT
STOCKTON CA 95207

|||||
LODI UNIFIED SCHOOL DISTRICT
1305 E VINE ST
LODI CA 95240

|||||
BROWN CONSTANCE S ETAL
2312 GRENOBLE DR
LODI CA 95242

|||||
BISTOLARIDES MARIA TR
511 E PINE ST
LODI CA 95240

|||||
ESQUIVEL JESSE J & KATHRYN B
1397 KOLLN ST
PLEASANTON CA 94566

|||||
MARTIN ROBERT L & S E
5057 E HARNEY LN
LODI CA 95240

|||||
HESS IDA M TR
1505 W IRIS DR
LODI CA 95242

|||||
MCKENZIE JAMES L & DEBRA M
349 E PINE ST
LODI CA 95240

|||||
WOODWARD RICHARD & MICHELE
345 E PINE ST
LODI CA 95240

|||||
OROZCO JORGE & SONIA
343 E PINE ST
LODI CA 95240

|||||
VUONG JOE
339 E PINE ST
LODI CA 95240

|||||
SILIVERDIS DAN & TASIA TR
550 VIRGINIA AVE
LODI CA 95242

|||||
LEUNG YAU HING & WAI
333 E PINE ST
LODI CA 95240

|||||
KHAN ZAMURAD & BIBI ETAL
413 E PINE ST
LODI CA 95240

|||||
AKBAR SHER & O J
816 S CENTRAL APT B
LODI CA 95240

|||||
GREEN CAMILLE
405 E PINE ST
LODI CA 95240

|||||
MATUSICH RICHARD G & BRENDA T
7964 KEMPER CT
PLEASANTON CA 94588

|||||
GLENN JERRY L ETAL
4341 ST ANDREWS DR
STOCKTON CA 95219

|||||
FUKUNAGA RITSUYE TR
14704 N BECKMAN RD
LODI CA 95240

|||||
LITFIN ROBERT & P TRS
1445 S CHEROKEE LN
LODI CA 95240

|||||
BENNETT DEAN A & JUANITA M
713 W KETTLEMAN LN
LODI CA 95240

|||||
BLAYNEY DOUGLAS I & B J
327 E OAK ST
LODI CA 95240

|||||
MCCARVER DARRELL & CYNTHIA
326 E OAK ST
LODI CA 95240

|||||
KORT DOUGLAS M & JUNELLA M TR
2311 W COCHRAN RD
LODI CA 95242

|||||
MENDOZA REY ETAL
334 E OAK ST
LODI CA 95240

|||||
KONSCHAK VIRGIL & JANIS TR
338 E OAK ST
LODI CA 95240

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RUIZ JOSEPHINE M
342 E OAK ST
LODI CA 95240

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TORRES JOSEPHINE L
342 1/2 E OAK ST
LODI CA 95240

|||||
BLEHM GLEN H & H TRS
719 W WALNUT ST
LODI CA 95240

|||||
MCGINN SANDRA J ETAL
350 E OAK ST
LODI CA 95240

|||||
MCGINN JAMES J & S J
354 E OAK ST
LODI CA 95240

|||||
MUNOZ ANTONIO & MARIA D
111 S CENTRAL AVE
LODI CA 95240

|||||
GISLER MARK ANTHONY & MARY TR
25361 N LINN RD
ACAMPO CA 95220

|||||
GISLER MARK A & MARY P
25361 N LINN RD
ACAMPO CA 95220

|||||
GIES LORI H
416 E PINE ST
LODI CA 95240

|||||
KOTAKA DENIS & GAYNER
417 E OAK ST
LODI CA 95240

|||||
WIERSCH GORDON H & BARBARA
TR
16716 EL BALCON AVE
SAN LEANDRO CA 94578

|||||
TAYLOR SHIRLEY J
415 E OAK ST
LODI CA 95240

|||||
OTTO TODD J & CYNTHIA
8194 E PELTIER RD
ACAMPO CA 95220

|||||
CLARK PAMELA MAE
4995 E HARNEY LON
LODI CA 95240

|||||
GILLESPIE MARY ETAL
401 E OAK ST
LODI CA 95240

|||||
SINGH INDER
16 S CENTRAL AVE
LODI CA 95240

|||||
GUDDAL MICHAEL H
1313 COLGATE DR
DAVIS CA 95616

|||||
BEGUM SAJIDA
116 S CENTRAL AVE
LODI CA 95240

|||||
ORDONEZ HORACIO R & M
1010 S GARFIELD
LODI CA 95240


|||||
WELCH JANICE P TR
933 W TURNER RD
LODI CA 95242

|||||
DAVID SOLOMON
4719 QUAIL LAKES DR #G-193
STOCKTON CA 95207



MEMORANDUM
Office of the Lodi City Clerk

TO: Public Works Director

FROM: Susan J. Blackston 
City Clerk

DATE: March 20, 2003

SUBJECT: RESOLUTION OF INTENTION TO VACATE THE EAST 200 FEET OF
THE ALLEY WEST OF CENTRAL AVENUE AND NORTH OF OAK
STREET

Please be advised that the City Council, at its meeting of March 19, 2003, adopted the attached resolution declaring its intention to vacate the east 200 feet of the alley west of Central Avenue and north of Oak Street and set the matter for public hearing on May 7, 2003.

Pursuant to law, the Public Works Department is required to post at least three copies of the subject resolution and map in the area to be abandoned at least 15 days prior to the Public Hearing. Upon completion of the posting, please forward a copy of the Affidavit of Posting to me for our records.

Please contact me should you have any questions.


SJB/JMP

Attachment



MEMORANDUM
Office of the Lodi City Clerk

TO: Community Development Director

FROM: Susan J. Blackston 
City Clerk

DATE: March 20, 2003

SUBJECT: A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS
INTENTION TO VACATE THE EAST 200 FEET OF THE ALLEY WEST
OF CENTRAL AVENUE AND NORTH OF OAK STREET

Please be advised that the Lodi City Council, at its regular meeting of March 19, 2003, adopted a resolution declaring its intention to vacate the east 200 feet of the alley west of Central Avenue and north of Oak Street (attached).

Further, the City Council referred the matter to the Planning Commission for its recommendation and set the matter for a Public Hearing before the Lodi City Council on May 7, 2003.

SJB/JMP

Attachment

cc w/o enc: Public Works Department